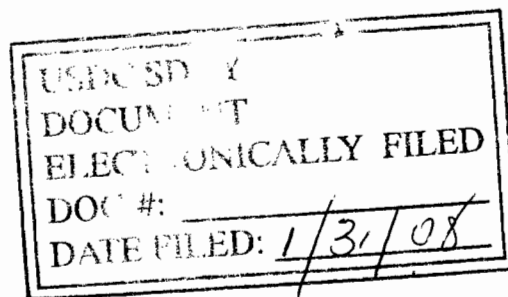


January 30, 2008



Via Electronic Mail

The Honorable Shira A. Scheindlin
United States District Judge
Daniel Patrick Moynihan
United States Courthouse
500 Pearl Street, Room 1620
New York, New York 10007-1312

Re: In re Methyl Tertiary Butyl Ether ("MTBE") Products Liability Litigation
MDL No. 1358, Master File C.A. No. 1:00-1898 (SAS)

Dear Judge Scheindlin:

As the Court is aware, Plaintiffs are currently responding to seven motions for summary judgment filed by defendants - two on behalf of all defendants and five separate motions filed by Crown, Getty, Giant, Irving, and Total. To some extent, the arguments raised in all of the motions are the same or similar. Plaintiffs' responses, therefore, are similar and dependent upon much of the same evidence. Plaintiffs will file timely responses to each of these seven motions.

An eighth response is also due on Thursday -- to the motion filed by Lyondell and Equistar Chemical Companies. This motion involves issues different from those raised by the refiners. And responding requires reliance on completely different evidence. More specifically, the parties have mutually agreed to conduct the deposition of defense expert John O'Brien on February 7-8. Mr. O'Brien's testimony is critical to Plaintiffs' response with respect to Lyondell and Equistar. He has specific opinions about a number of relevant issues including the manufacture and supply of neat MTBE, the identities of the manufacturers and suppliers, how MTBE was transported or distributed, and to whom it was sold.

Given the amount of work required to answer even one of these motions, Plaintiffs asked Lyondell to agree to an extension of time for Plaintiffs' response to the Lyondell/Equistar motion. Counsel for Lyondell denied Plaintiffs' request, although Plaintiffs' counsel explained the hardship and the need to explore the opinions of defense expert John O'Brien.

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Plaintiffs now ask the Court to intervene and order that plaintiffs be allowed to file their response on February 15th.

Respectfully submitted,

BARON & BUDD, P.C.

Carla M. Burke

Carla M. Burke

CMB/ss

cc: All Counsel of Record (via LexisNexis)

to respond by February 15
Plaintiffs' request, is granted to the extent
that the Lyondell and Equistar motion
raises completely distinct issues and
plaintiffs' response relies on different
evidence than the other seven motions
for which responses are due January 31, 2008.
The reply, if any, is due on February 25, 2008.

So ordered.

Dated: January 30, 2008

SHIRA A.
SCHEINDLIN

Shira A. Scheindlin
S.D.N.Y.